

### **REMARKS**

Claims 1-26 are pending in the application. Of these, claims 1-3, 7-9, 11-15 and 19-26 are rejected, and claims 4-6, 10 and 16-18 are objected to as being dependant on a rejected based claim, but would be allowable if rewritten in independent form.

#### **I. Claim Rejections Under 35 U.S.C. § 112**

Claims 11 and 19 are rejected under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. By this Amendment, Applicant has amended claims 11 and 12 to improve clarity. In view of these amendments, the Examiner is requested to withdraw the § 112 rejection.

#### **II. Claim Rejections Under 35 U.S.C. § 103**

Claim 1-3, 7-9, 11-15 and 19-26 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Demos (U.S. Patent No. 6,442,203) in view of Ohmi et al (U.S. Patent No. 5,923,779; hereinafter "Ohmi"). Applicant respectfully traverses the rejection.

Claim 1 recites, *inter alia*, a method of detecting a film image comprising: "determining whether the image is a film image according to a period of the converted values."

Demos discloses a system and method for motion compensation and frame rate conversion. Demos teaches implementing a variety of temporal functions such as de-interlacing, frame-rate conversion, and multi-frame noise reduction, but it does not teach "determining whether an image is a film image according to a period of converted values" as recited in claim 1. Demos may determine that the motion vectors are as accurate as possible, or determine the

quality of an overall match by averaging the entire picture's value (Demos, col. 8, lines 55-59; col. 8, lines 24-28). However, Demos does not disclose a determination of "whether an image is a film image." The Examiner cites col. 19, lines 28-40 as allegedly disclosing this feature (Office Action, page 3). However, this section simply discloses the use of other film-based resolutions when no interlace is involved. Using other film-based resolutions does not teach or suggest "determining whether an image is a film image." Furthermore, Demos is directed to the case "when no interlace is involved," while claim 1 clearly recites the use of "inter-laced fields." Therefore, claim 1 should be patentable over the combined references.

The Examiner concedes Demos does not teach "similar values which are received into a first group and a second group," and cites col. 6, lines 22-39 of Ohmi as allegedly disclosing this feature (Office Action, page 3). The cited section discloses 50 classified matching patterns, each of which are prepared as 2-dimensional picture image data. A value representing the sum of all these picture image data is then computed (Ohmi, col. 6, lines 26-31). However, neither the picture image data nor the computed sum of these images is "similarity values which are received into a first group and a second group" as recited in claim 1. A matching pattern is not a similarity value, and a sum is not a second group. For these additional reasons, claim 1 is further patentable over the Examiner's proposed combination of Demos and Ohmi.

Claims 2-3, 7-9 and 11 depend from claim 1 and should be patentable for at least the same reasons as claim 1.

Claim 12 recites analogous limitations as claim 1 and is patentable at least for analogous reasons. Claims 13-15 and 19 depend from claim 12 and are patentable for at least the same reasons as claim 12. Claims 20, 25 and 26 recite analogous limitations as claim 1 and are

patentable at least for analogous reasons. Claims 21-24 depend from claim 20 and are patentable for at least the same reasons.

### **III. Allowable Subject Matter**

Claims 4-6, 10 and 16-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims. The Applicant respectfully requests the Examiner to hold the rewriting of these claims in abeyance pending the resolution of the base claims.

### **IV. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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